

Message Text

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17

ORIGIN IO-14

INFO OCT-01 EUR-25 ISO-00 AF-10 ARA-16 EA-11 NEA-14 RSC-01

EB-11 L-03 USPS-02 OIC-04 PA-04 PRS-01 USIA-15 /132 R

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TO USMISSION GENEVA

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E.O. 11652:N/A

TAGS:PORC, UPU

SUBJECT: UPU - MEMBERSHIP APPLICATION BY UN COUNCIL FOR
NAMIBIA

1. DEPARTMENT HAS RECEIVED DIPLOMATIC NOTE FROM SWISS
EMBASSY IN WHICH GOS, ACTING FOR UPU, ADVISES THAT UN
COMMISSIONER FOR NAMIBIA HAS APPLIED ON BEHALF OF UN COM-
MISSION FOR NAMIBIA (UNCFN) FOR ADMISSION OF NAMIBIA AS
MEMBER OF UPU. PURSUANT TO PROVISIONS OF ARTICLE 11, PARA
4, UPU CONSTITUTION, ALL UPU MEMBERS MAY CAST BALLOTS BY
OCTOBER 18 (FOUR MONTHS FROM DATE GOS OPENED CONSULTATIONS
WITH MEMBERS); THOSE NOT VOTING BY THAT DATE WILL BE
COUNTED AS ABSTAINING. TO OBTAIN MEMBERSHIP, APPLICANT
WHICH IS NOT UN MEMBER MUST SECURE POSITIVE VOTES OF TWO-
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THIRDS OF UPU'S 153 MEMBERS.

2. ARTICLE 11 OF UPU CONSTITUTION PROVIDES APPLICANTS FOR MEMBERSHIP MUST FALL INTO ONE OF TWO CATEGORIES. THEY MUST EITHER BE (A) MEMBER OF UN, OR (B) "A SOVEREIGN COUNTRY WHICH IS NOT A MEMBER OF UN". AS NAMIBIA IS NOT A MEMBER OF UN, QUESTION DEVOLVES ON WHETHER NAMIBIA CAN BE CONSIDERED "SOVEREIGN COUNTRY". UNGA RESOLUTIONS MAKE CLEAR THIS IS NOT THE CASE. UNGA RES 2248 ESTABLISHED UNCFN TO ADMINISTER NAMIBIA "UNTIL INDEPENDENCE" AND UNGA RES 2871 SPEAKS OF PROTECTING AND SAFEGUARDING THE RIGHTS AND INTERESTS OF THE PEOPLE OF THE TERRITORY "PENDING THEIR

EXERCISE OF SELF-DETERMINATION AND ATTAINMENT OF INDEPENDENCE". LACKING INDEPENDENCE, NAMIBIA CANNOT BE CONSIDERED "SOVEREIGN COUNTRY", AND THUS DOES NOT MEET UPU MEMBERSHIP REQUIREMENTS. OUR PRESENT INTENTION, THEREFORE, IS TO RESPOND TO GOS, ON BEHALF OF BOTH U.S. AND U.S. TERRITORIES MEMBERSHIPS, THAT U.S. OPPOSES ADMISSION OF NAMIBIA TO UPU AS FAILING TO MEET ARTICLE 11 REQUIREMENTS FOR MEMBERSHIP.

3. BEFORE PROCEEDING, HOWEVER, WE WOULD WELCOME RESULTS OF SOUNDINGS BY MISSION AMONG FRIENDLY DELEGATIONS, AND ANY COMMENTS OTHER ADDRESSEES MAY OFFER. FOLLOWING MAY BE USEFUL BACKGROUND IN MAKING SOUNDINGS: (A) USG COULD OF COURSE ABSTAIN, EITHER EXPLICITLY OR BY NOT RESPONDING. PRACTICAL EFFECT WOULD BE SAME, APPLICANT MUST RECEIVE 102 POSITIVE VOTES TO OBTAIN MEMBERSHIP. HOWEVER, U.S. VIEW IS THAT INTEGRITY OF CONSTITUTIONAL PROVISIONS SHOULD BE UPHELD IN ALL INTERNATIONAL ORGANIZATIONS AND WE PREFER TO STAND UP AND BE COUNTED IN RESISTING THIS SORT OF EROSION OF CONSTITUTIONAL PROCESSES. (B) U.S. SUPPORTED APPLICATION OF UNCFN FOR NAMIBIA FOR ASSOCIATE MEMBERSHIP IN WHO AT RECENT WORLD HEALTH ASSEMBLY, FOR WHICH WE CONCLUDED IT WAS ELIGIBLE WITH UNCFN SPONSORSHIP, BUT NO SIMILAR ASSOCIATE MEMBERSHIP CATEGORY EXISTS IN UPU. (C) IF MENTION IS MADE OF SEVEN NON-AUTONOMOUS TERRITORIES NOW MEMBERS OF UPU, MISSION MAY NOTE THAT WHEN NEW CONSTITUTION ADOPTED IN 1964 DECISION WAS MADE TO PERMIT SUCH TERRITORIES THEN MEMBERS TO RETAIN MEMBERSHIP, BUT NOT TO LIMITED OFFICIAL USE

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ADD ANY FUTURE TERRITORIES OF THIS NATURE TO UPU MEMBERSHIP.

4. FOREGOING CONVEYED CANADIAN EMBASSY HERE IN RESPONSE TO REQUEST FOR U.S. VIEWS.

5. AS DEPARTMENT HOPES TO REPLY TO SWISS NOTE BY SEPTEMBER 15, REQUEST MISSION REPORT RESULTS OF ITS

CONSULTATIONS BY THAT DATE. KISSINGER

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